

ORIGINAL

2704
THE UNITED STATES DISTRICT COURT
Middle District of Pennsylvania
Harrisburg, PA

Yan SHAO

Plaintiff,

v.

Edward Cuccia

Charles Day

John / Jane Doe

Law Offices of Ferro & Cuccia

Defendants.

No. 1:00 CV 1901
(JUDGE Rambo)

mag J Smyser

FILED
HARRISBURG, PA

APR 28 2003

MARY E. D'ANDREA, CLERK
Per MS

CIVIL ACTION - LAW

SECOND REPORT TO MAGISTRATE JUDGE J. ANDREW SMYSER
CONCERNING STATUS OF THE PLAINTIFF'S EFFORTS TO COLLECT
INFORMATION AS TO THE DEFENDANT'S ASSETS
THAT MAY BE SUBJECT TO LEVY

MAY IT PLEASE THE COURT, pursuant to the March 25 2003 Order of the
Magistrate Judge, the plaintiff herewith submits a SECOND report of her efforts to
collect information concerning the assets of the defendant and judgement debtor. As
with the first report, this document has NOT been forwarded to Mr. Charles Day.

RECENT COMMUNICATIONS WITH MR. DAY:

On April 22, 2003, I called Mr. Day to inquire whether it would be convenient for
him if I arranged for his deposition in Harrisburg, following the conference which the
court has set for Tuesday, April 29, 2003. Mr. Day responded that it would not be
convenient. He stated he did believe he would attend the conference on April 28th as he

had court appearances elsewhere on that day. He indicated displeasure that Ms. Shao desired to depose him and asked for what purpose a deposition would serve. I indicated that we were still seeking information about his assets. Mr. Day stated he would get back to me about a more convenient deposition date but only after seeking advice as to whether I had the authority to take his deposition. I have heard nothing further from Mr. Day.

Of course, the plaintiff is intending to be present before the Magistrate Judge in Harrisburg on April 29, 2003, but with some misgivings as to whether Mr. Day will in fact be present.

Date: 4/24/03

Very truly yours,



Richard B. Cook